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SUITE 700
901-15TH STREET, N.W.
WASHINGTON, D.C. 20005-2301
(202) 371-6000
TELECOPIER: (202) 371-6279

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

February 12, 1995

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Ex Parte Presentation in PR Docket No. 92-235

Dear Mr. Caton,

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, this is to notify you that Edwin Kemp, Lawrence R. Sidman, Thomas J. Keller and Sari Zimmerman, representing the Association of American Railroads (AAR), met today with Jackie Chorney, Legal Advisor to the Chairman, to discuss the issues raised in the Report and Order and Further Notice of Proposed Rule Making in this docket. AAR reiterated the points raised in its Comments and Reply Comments on the Report and Order and Further Notice of Proposed Rule Making. The attached briefing book was discussed during the meeting.

Pursuant to Section 1.1206(a), two copies of this notice are being filed for placement in the docket of this proceeding.

Should any questions arise concerning this notice, please contact the undersigned.

Sincerely,

Lawrence R. Sidman

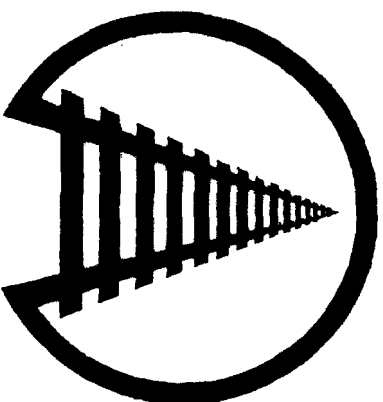
Lawrence R. Sidman
Counsel for AAR

Attachment

cc(w/att.): Jackie Chorney

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ASSOCIATION
OF AMERICAN
RAILROADS

**AAR Briefing on
FCC Channel Consolidation Proposal
PR Docket No. 92-235**

Summary of Presentation

- **Railroads Play a Vital Role in the National Economy**
- **Mobile Radio Communications are Critical for Railroad Safety**
- **Consolidation of Railroad Mobile Radio Channels Will Result in Unsafe Conditions**

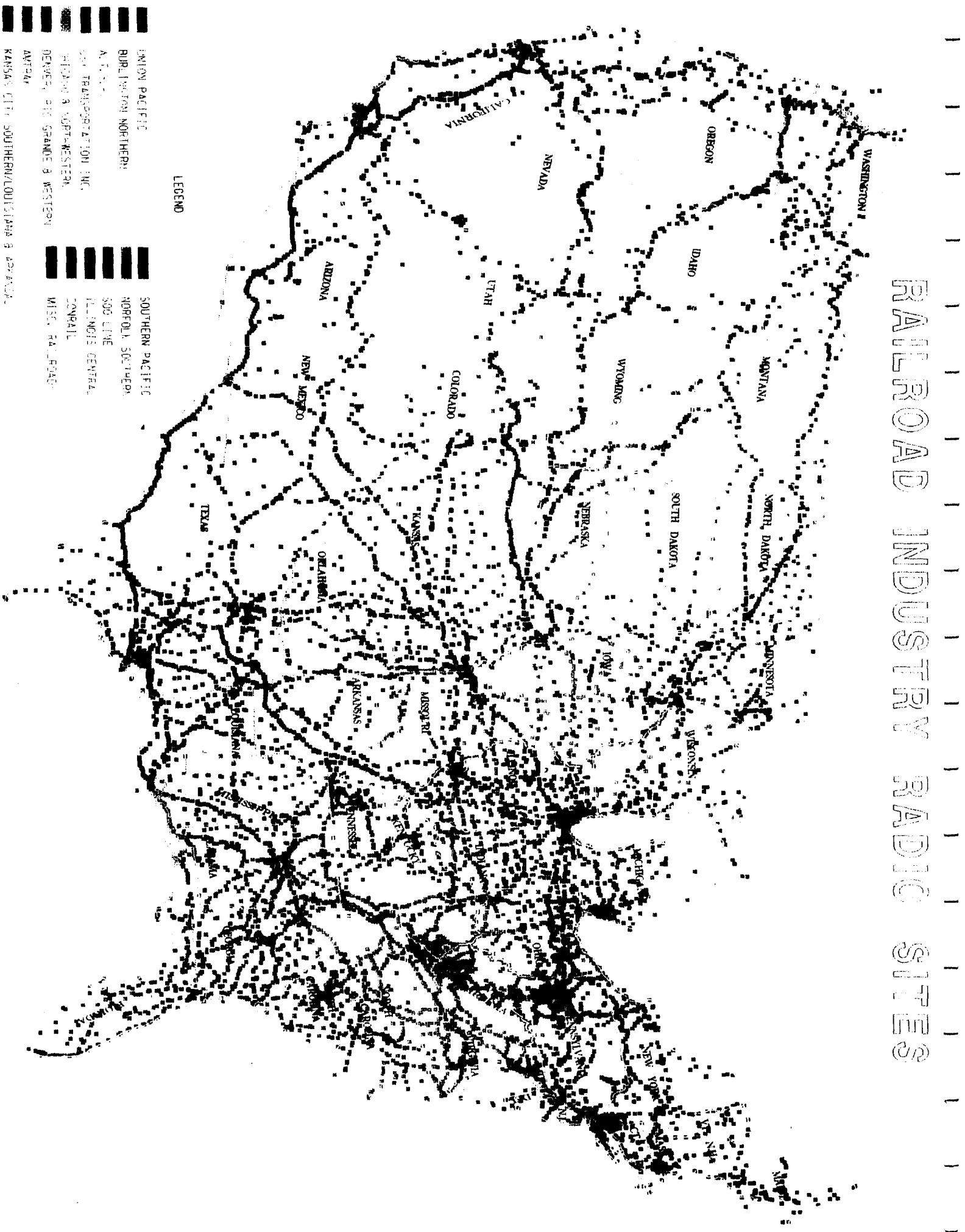
A Viable Railroad Industry is Vital to the Nation's Economy

- **Railroads handle 39% of all freight ton-miles (more than any other mode)**
- **Railroads carry:**
 - **65% of motor vehicles**
 - **60% of coal**
 - **50% of pulp and paper**
 - **49% of farm products**
 - **40% of chemicals**
 - **40% of food and like products**
- **Railroads carry millions of passengers and commuters each day**
- **Railroads are the safest, least polluting and most energy efficient way to move freight over land**

Congress Has Recognized the Unique Status of the Railroad Industry and its Importance to the National Economy

- **Congress has given the FCC the power to exempt railroads from regulations to which they would otherwise be subject (47 U.S.C. § 303(k)).**
- **Congress has given the President the power to intervene in the event of a rail strike (45 U.S.C. § 160).**

RAILROAD INDUSTRY RADIO SITES

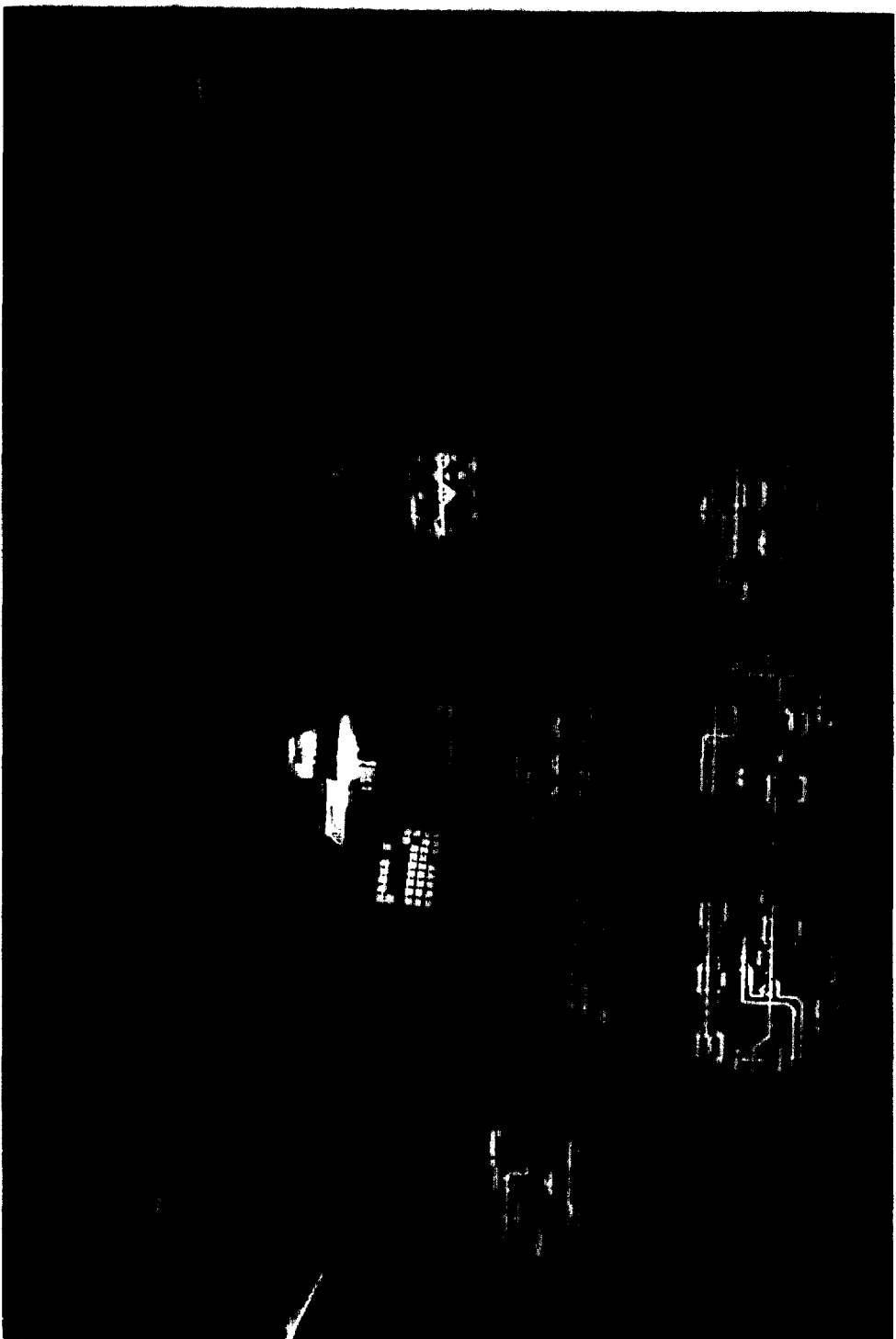


Mobile Radio Performs Major Safety-Related Functions for Railroads

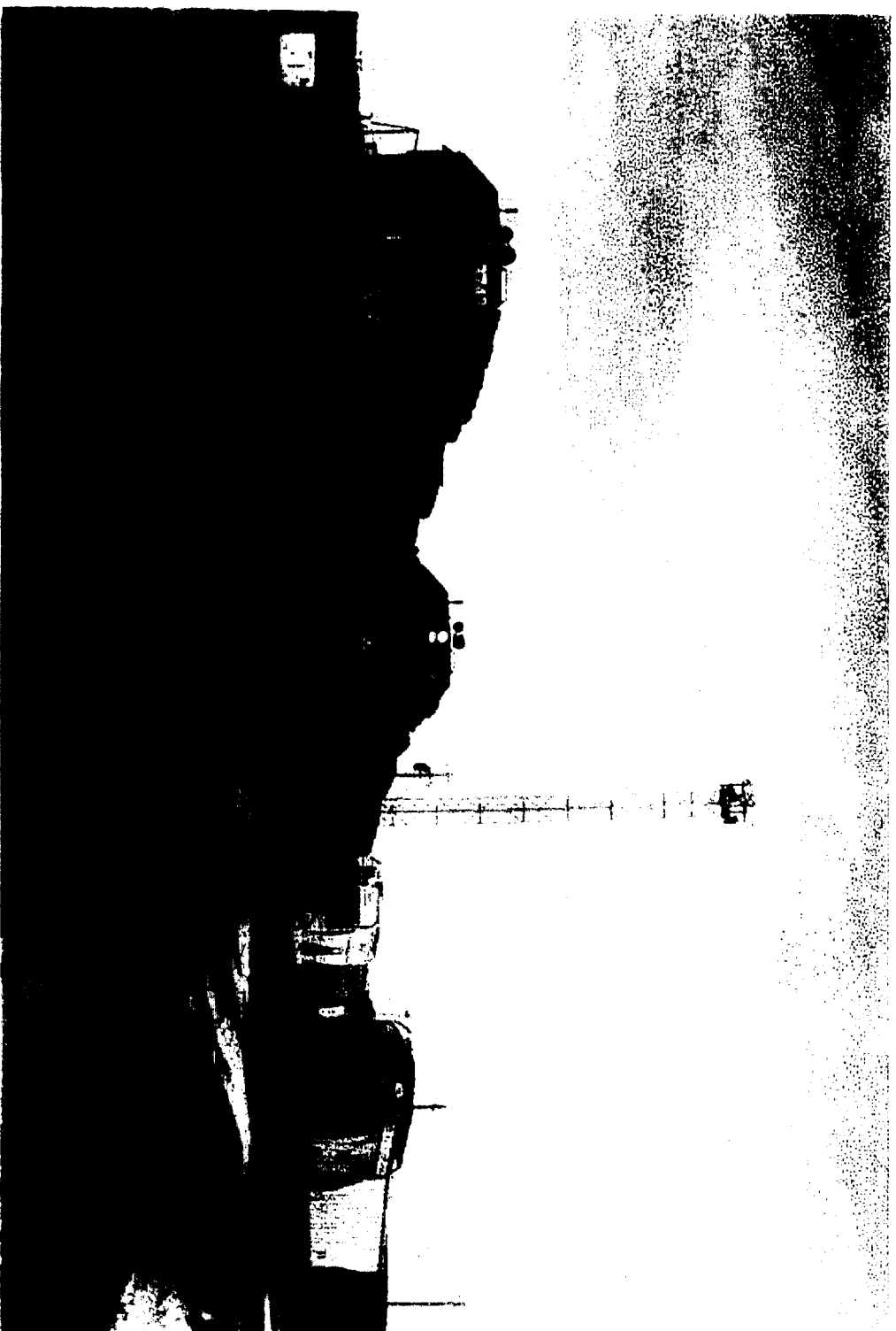
- 1. "Road" Channel Communications**
- 2. Maintenance of Right-of-Way**
- 3. Security, Law Enforcement & Emergency
Response**
- 4. Yard Operations**
- 5. Train-Specific Devices**

1. "Road" Channel Communications

- **Dispatch-to-Train**
- **Train-to-Train**
- **Engineer-to-Crew**
- **Automatic Defect Detectors**



"Road" Channel - Dispatcher-to-Train



"Road" Channel - Train-to-Train



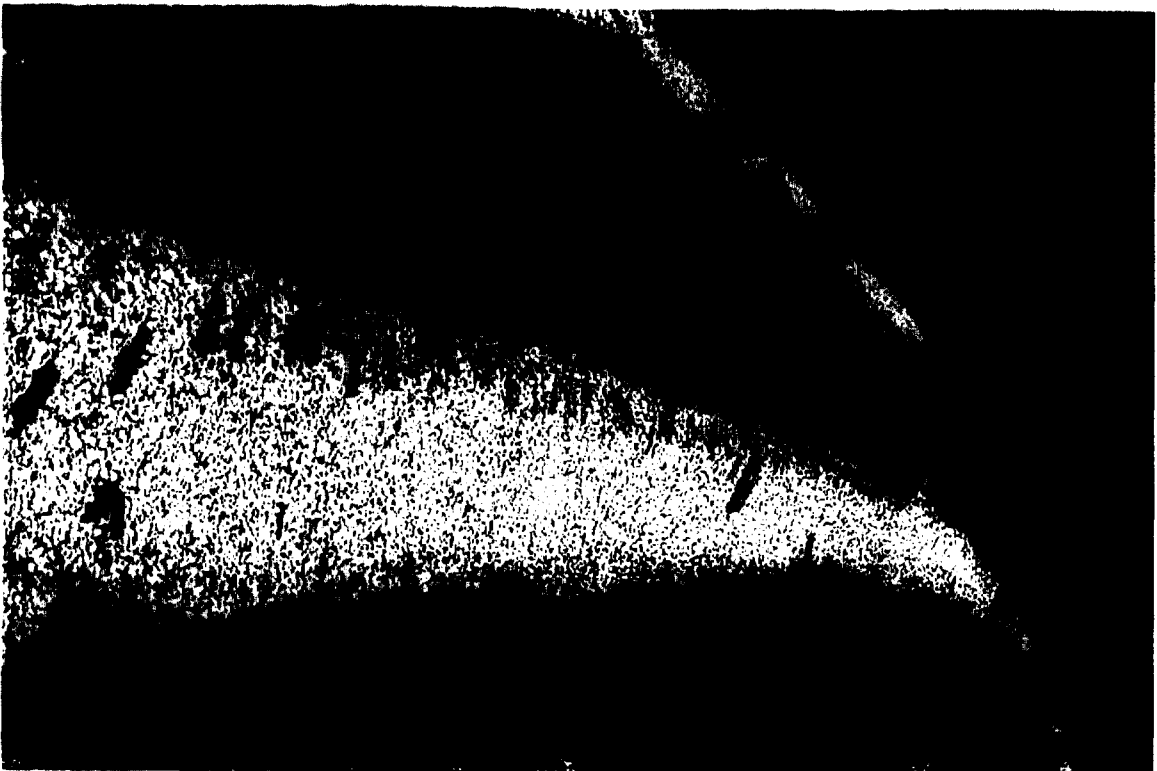
"Road" Channel – Automatic Defect Detector

Defect Detectors are also used to detect rock slides, dragging equipment, and high/wide equipment to name a few.

2. Maintenance of Right-of-Way

- **Track Forces**
- **Signal Forces**
- **Mobile Cranes**

**"Maintenance-of-Way
Channels" – Track
Repair Crews**





"Maintenance-of-Way Channels" – Signal Crews



"Maintenance-of-Way Channels" – Mobile Cranes

3. Security, Law Enforcement and Emergency Response

- **Property Protection**
- **Railroad Police**
- **Emergency Response**



"Security Channels" – Railroad Police

The railroad industry employs over 2,000 police officers throughout the nation. They are commissioned as police officers under state law, and are authorized by the Department of Transportation to enforce the laws of any jurisdiction in which the railroad operates. 49 C.F.R. Section 207.



"Security Channels" - Emergency Response

4. Yard Operations

- **Train Make-up**
- **Locomotive and Car Repair**



Yard Operations: Train Make-up

5. Train-Specific Devices

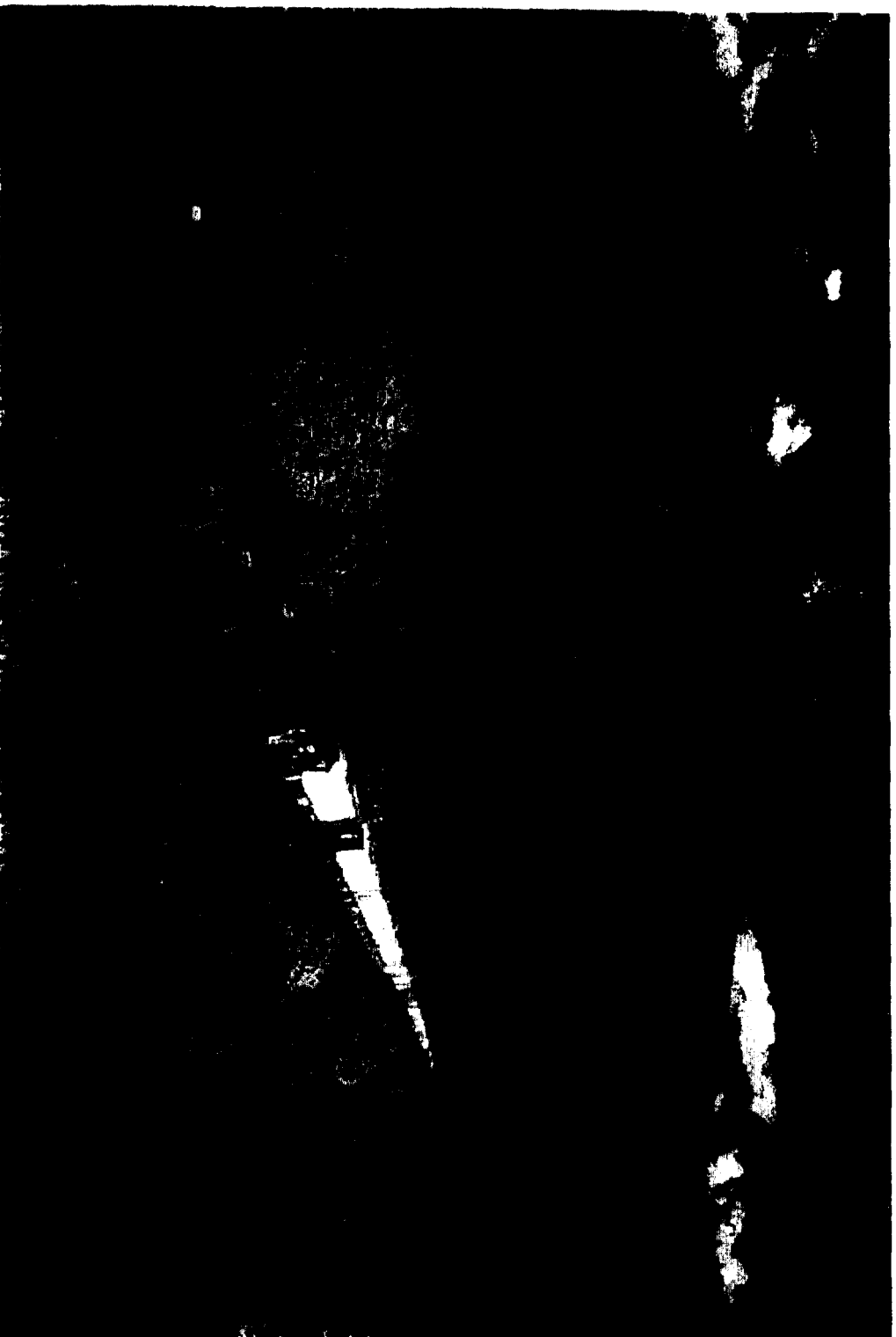
- **End-of-Train telemetry (mandated by Congress, 49 U.S.C. § 20141 (b))**
- **Slave Locomotive Operations**
- **Downloading Locomotive Data**



Train-Specific Devices: end-of-Train Telemetry



***Slave Locomotive Operations: Remote control
of mid-train locomotive by radio telemetry***



Train-Specific Devices: Radio telemetry to download maintenance information, fuel consumption data, condition of systems on-board, etc.

The Safety Rationale for Creation of the Railroad Radio Service is Even More Imperative Today

- **Carriage of hazardous materials**
- **Heightened demand for rail transportation**
- **Higher train speeds**
- **Rise of automation**
- **Increased frequency of train movements**
- **Increased number of railroads using railroad frequencies**